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SUBJECT: TAJIKISTAN: NARCOTICS, LAW ENFORCEMENT, AND JUSTICE SECTOR  
OCTOBER-NOVEMBER UPDATE

REF: Dushanbe 1379

¶1. Summary: The November visit by SCA DAS Krol provided welcomed insights into U.S. plans for Central Asia. EU and OSCE colleagues are still working to improve technical capacity for drug interdiction and Finland continues to stress strategic border management. Tajik law enforcement agencies have seized drugs at increased rates over last year but have so far arrested only low level couriers. INL's justice sector program is providing defense attorneys with access to legal information necessary to defend clients, help the Judicial Council initiate transparent professional selection and training of judges, and is preparing to provide numerous grants to improve access to justice, court monitoring, and other programs. End summary.

#### INSTITUTIONAL DEVELOPMENTS

¶2. President Rahmon proffered joint training for Tajik and Afghan law enforcement officers during his keynote speech at the late October ministerial conference on "Border Management and Drug Control in Central Asia". While Pierre Morel, EU Special Representative for Central Asia, hailed the success of the conference as reported reftel, beyond Rahmon's remarks the conference has not yet yielded substantive results.

¶3. DAS Krol's visit and November 11 speech, "Central Asia and Afghanistan: An American Perspective," on the heels of the U.S. election reassured academics, Tajik officials, and diplomats about the Obama administration. We sensed collective relief from the audience when DAS Krol said that he did not anticipate any dramatic change in U.S. policy towards Afghanistan after January 21. Interlocutors are concerned that the U.S. will leave Afghanistan without stabilizing it, and that in turn would impact Tajikistan.

¶4. The Central Asian Regional Information and Coordination Center (CARICC) was formally established when deputies of the Majlisi Namoyandagon (Tajikistan's lower chamber of parliament) ratified the agreement on November 12. Rustam Nazarov, Director of The Drug Control Agency, sponsored the legislation. With Tajikistan's ratification, the Almaty-based Center can become fully operational. He noted that the Center's main goal was to promote cooperation among law enforcement agencies in the region to enhance counternarcotics activities. The drug control chief said that CARICC member states would consider Afghanistan membership after the Center becomes fully operational. The Center has liaison officers seconded from member states whose role is to ensure cooperation between CARICC and the law enforcement authorities in the respective

countries. To date, Tajikistan, Kyrgyzstan and Turkmenistan have posted liaison officers to the Center. The center has established contacts with Interpol which plans to establish a liaison office at CARICC in the near future.

#### MUTUAL COOPERATION

¶5. On October 27 during bilateral consultations, Anne Holmlund, Finland's Minister of Interior, offered to provide financial assistance to Tajik border guards. According to the Border Guards, and confirmed by Finnish sources, the two sides discussed smuggling narcotics via the Tajik-Afghan border, intensifying efforts to halt drug trafficking and illegal migration, and countering international drug trafficking and illegal migration, and countering international terrorism and religious extremism.

¶6. UNDP and EU-BOMCA conducted a one-month refresher training course for drug detecting dogs and Border Guard dog handlers in mid-November. Kazakh experts from the National Security Committee of Kazakhstan conducted the training course for twelve drug-detecting dogs of the Tajik Border Force from border areas in Sughd, Khatlon and Gorno Badakhshan provinces. The experts trained the dogs in Dushanbe at the Dog Training Center of the National Drug Control Agency (DCA).

#### NOTABLE NARCOTICS AND WEAPONS SEIZURES

¶7. The Drug Control Agency reported that Tajik law-enforcement authorities seized over five metric tons of narcotics in the first ten months of 2008. This includes 1.5 tons of heroin, 1.7 tons of raw opium, and 2.0 tons of cannabis. During the same period, foreign law enforcement officials detained 227 Tajik nationals, among them 17 women. Officers detained 192 Tajiks in Russia, ten in

DUSHANBE 00001514 002 OF 004

Kazakhstan, ten in Uzbekistan, and six in Kyrgyzstan.

¶8. (U) On October 3, the Border Guards, who are a directorate within the State Committee for National Security, reported a large drug haul of 204 kilograms in the Shuroabod area of Khatlon province on the Tajik-Afghan border. The Border Guards were on routine patrol and spotted a group of armed persons who were illegally crossing the border river

¶9. Drug trafficking is not limited to the area bordering Afghanistan. Since the beginning of 2008, law officers in the former Soviet Union detained 42 residents of the northern Sughd province, including three women, for drug trafficking reported Muzaffar Boqiyev, First Deputy of the Sughd regional prosecutor's office. Officials detained 26 Sogdians in Russia, three in Kazakhstan, ten in Uzbekistan, and three in Kyrgyzstan.

¶10. Neither does age seem to be a limiting factor in drug trafficking. According to the Sughd police, on October 22 officers in the Bobojonghafurov district seized over 24 kilograms of hashish from 72-year-old Khoujahasan Rahmonov, a resident of the city of Taboshar and his 37-year-old accomplice of Dushanbe, Jamila Vazirova.

¶11. The Ministry of Internal Affairs continues to seize narcotics as well. On October 28, officers of the Ministry's department for combating drug trafficking seized 6.5 kilograms of heroin from a 37-year-old resident of Dushanbe, Rajabali Qurbonov.

¶12. Foreigners are also arrested. On November 8, an operation by officers from the Drug Control Agency led to the arrest of two Afghan drug traffickers in Dushanbe, 45-year old Nourullo valadi Abdullo and 21-year old Muhammad valadi Ghulommuhammad who had over a kilo of heroin. Another operation resulted in the arrest of another Afghan national, 65-year old Muhammad Yogoub valadi Abdulaziz, and the seizure of almost a kilo of heroin. Criminal proceedings have been instituted against the Afghan narco-traffickers and an investigation is under way.

¶13. Tajikistan's Customs Service is also interdicting narcotics.

According to Custom's officials since the beginning of this year they have seized over eight kilos of narcotics at Nizhniy Pyanj border crossing point with Afghanistan.

#### DRUG DEMAND REDUCTION

¶14. On October 26, 2008 at the 5th International Sato Tecuo Karate-do Tournament, DCM Necia Quast handed out prizes to the karate champions and the winners of the QWhy Drugs Are BadQ essay competition. INL Dushanbe sponsored the tournament as part of its effort to reduce drug consumption. The project appeals to high school students in Dushanbe, Khujand and Khatlon to lead an active, healthy lifestyle by showing the successes of dedicated athletes. The message will be reinforced when karate champions speak at selected schools about the dangers of drug use and serve as positive role-models for leading a drug-free lifestyle

#### BORDER GUARDS

¶15. Tajikistan upgraded border outposts in the northern Sughd province on the border with Uzbekistan and Krygyzstan. Sodiq Bobojonov of the Sughd regional administration said that construction of new and renovation of existing border outposts should be completed in the Sughd province by the end of this year. Qshould be completed in the Sughd province by the end of this year. The border outposts are located Zafarobod, Istaravshan, Konibodom, Qairoqqum, Isfara, Shahrison, Asht, Spitamen, Jabborrasulov, Kuhistoni Mastchoh and Ghonchi districts. Bobojonov noted that the Tajik-Uzbek commission for delineation of border was completing its work in northern Tajikistan, while work of the Tajik-Kyrgyz border commission was on-going.

#### JUSTICE SECTOR

¶16. On October 9 the Open Society Institute's (OSI) legal program in partnership with the Constitutional Court of Tajikistan and NGO "Bureau of Human Rights and Rule of Law" conducted a roundtable on improving constitutional court proceedings. OSI conducted a series of the similar round tables on the regional level in Khujand,

DUSHANBE 00001514 003 OF 004

Khorog, Kulyab and Qurghon-Teppa aiming to support the justice sector reform program in Tajikistan. The goal of the reform program is to improve constitutional court activities by informing citizens that they can address complaints to the Constitutional Court, and informing them about additions to the law governing operation of the Constitutional Court.

¶17. On Friday, October 17, DCM signed over \$12,000 of computer equipment from INL to the Judicial Training Center at the Justice Council as the part of a project to support reform and professional improvement of Tajikistan's justice sector. INL is collaborating with the Justice Council and Judicial Training Center to improve the selection and training process for new judges and to provide sitting judges with access to international developments in judicial methodology. INL's justice sector program includes projects with the American Bar Association to reform the criminal procedures code, assist Tajikistan's defense bar associations, and expand secular law courses at the Islamic University.

¶18. INL Dushanbe received 27 applications for grants to support 2009 projects under the Justice Sector Reform Program. INL and the other members of the embassy's Development Assistance Working Group chaired by the DCM will select recipients for grants up to a maximum of \$50,000. The grants will promote reform in legal sector by supporting legal aid, rural law education, access to justice, court monitoring, and third party arbitration.

¶19. On Friday, December 5, Charge' presented a plaque to Naim Amirbekov, Chairman of the National Collegium of Defense Attorneys, commemorating the dedication of the Legal Resource Center at the National Collegium, the second of three collegia where ABA has created resource centers. The resource center contains a commercially available database providing lawyers with access to Tajikistan's laws and criminal procedures. On October 24, INL

officer presented a plaque during the dedication of the resource center at the Dushanbe Defense Attorney Collegium. Defense attorneys themselves suggested the creation of resource centers with legal databases for attorneys' use, because of the difficulty of preparing cases for clients and defending the rights of the accused without access to the necessary legal information.

¶20. INL's cooperative program with ABA works with all three collegia to raise the qualifications and improve the professionalism of defense attorneys. ABA and INL will open the resource center for the Sughd Collegium shortly. The project provides training and information to balance the adversarial relationship between defense and prosecution, raise professional regard for defense attorneys within the justice system, enhance attorneys' skills and improve their legal knowledge, provide accountability of defense attorneys to their clients, and improve professional delivery of legal services.

#### CORRUPTION

¶21. The Agency for State Financial Control and Combating Corruption instituted criminal proceedings against Mahmadullo Qurbonov, ex-director of the Nurek hydroelectric power station, and charged him with embezzlement of state funds. The Agency reported that Qhim with embezzlement of state funds. The Agency reported that Qurbonov and his deputy, Mahmadali Halimov, jointly with top managers of the limited liability company Nourafzo-2005, embezzled 580,000 somoni in state funds in January 2006 by forging documents for purchase of spare parts. In addition, authorities assert that the Nurek power station administration misappropriated 702,700 somoni (over \$206,000) while making a deal with the limited liability company Komron-Sh. The Agency initiated a criminal case against Qurbonov and Halimov under Criminal Code articles 245, embezzlement or misappropriation of funds and 323, forgery.

¶22. The Agency charged a senior teller with the National Bank of Tajikistan, Mustafo Asrorov, of embezzlement of funds from the Dushanbe Customs directorate. According to reports, Asrorov visited the Dushanbe customs directorate twice in June of this year and received a total of 1,640,687 somoni in cash (over \$480,000) which he embezzled by submitting forged receipts posting the sums to an account.

¶23. In January-September 2008 in the Sughd province, the Agency

DUSHANBE 00001514 004 OF 004

detected 152 corruption-related and economic crimes. According to Agency reports, this included 30 crimes related to misappropriation of state funds, 16 crimes related to bribery, 12 tax evasion cases, and 26 fraud cases. Over the report period, 29 corruption-related cases investigated by the Sughd anticorruption directorate have already moved to courts.

JACOBSON